

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA
AT BLUEFIELD

UNITED STATES OF AMERICA

v.

CRIMINAL NO. 1:19-00305-01

ERIC M. CHILDRESS

MEMORANDUM OPINION AND ORDER

Pending before the court is the government's Motion for Order Requiring Examination of Judgment Debtor. (ECF No. 31). At sentencing, defendant was ordered to pay \$30,636.44 in restitution. When the government filed its motion, defendant was in arrears on his monthly restitution payments and had failed to respond to the government's multiple efforts to resolve this matter without court intervention.

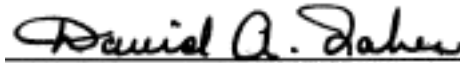
Defendant did not file a timely response to the government's motion. However, more than a year later, he did file what appears to be a check stub. (ECF No. 38). The docket sheet reflects that he has made payments towards his restitution, but they do not appear to be timely or sufficient to satisfy the payment schedule imposed. The probation office has informed the court that defendant still owes \$12,827.74 in restitution. For these reasons, the United States has shown good cause for its motion, and it is hereby **GRANTED** insofar as it seeks permission for an examination.

Pursuant to 28 U.S.C. § 636(b)(1) and Local Rule of Civil Procedure 72.1(e)(10), this matter is referred to United States Magistrate Judge Omar J. Aboulhosn for further proceedings including scheduling an examination and all related matters.

The Clerk is directed to send a copy of this Memorandum Opinion and Order to counsel of record, defendant, the Probation Office of this court, and to Magistrate Judge Aboulhosn.

IT IS SO ORDERED this 25th day of September, 2024.

ENTER:

A handwritten signature in cursive script, reading "David A. Faber", is written over a horizontal line.

David A. Faber

Senior United States District Judge